
REMARKS

Claims 1-10 are now pending in the above-identified patent application.

§103 Rejection of the Claims

Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshimura *et al.* (U.S. Publication No. 2002/0097962 A1) in view of Stopperan (U.S. Patent No. 5,428,190). Applicant respectfully traverses the rejections of claims 1-10.

Claims 1-10

Claim 1 recites, "an optically transmissive unit embedded in the anisotropic conductive film." In contrast, Yoshimura *et al.*, at page 22, paragraph 0266, teaches, "The chip layer 350 may be laminated to the active substrate 320 by an anisotropic conductive film 302." Also, in contrast, Stopperan, in the abstract, teaches, "A multilayer rigid-flex circuit board having two or more conductive layers, with at least one rigid circuit board electrically connected to at least one flexible jumper connector or intercircuit to at least one flexible jumper connector or intercircuit connector circuit board, is disclosed." Hence, neither Yoshimura *et al.* nor Stopperan, teach or suggest, either alone or in combination, "an optically transmissive unit embedded in the anisotropic conductive film," as recited in claim 1. Applicant respectfully submits that "laminated," as used in Yoshimura *et al.* is different from "embedded," as used in claim 1. Quite simply, "laminated" is not "embedded." They are different words and therefore have different meanings. Thus, neither Yoshimura *et al.* nor Stopperan, either alone or in combination, teach or suggest, each of the elements of claim 1. Thus, the Office action fails to state a *prima facie* case of obviousness with respect to claim 1. Therefore, applicant requests withdrawal of the rejection and reconsideration and allowance of claim 1.

Claims 2-10 are dependent on claim 1. For reasons analogous to those stated above and elements in the claims, applicant respectfully submits that the Office action fails to state a *prima facie* case of obviousness with respect to claims 2-10. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 2-10.

Claims 8-9

Claim 8 recites, "an optical polymer." Claim 8 is dependent on claim 1. Thus, the rejection of claim 8 is based on the combination of Yoshimura *et al.* and Stopperan. For combination rejections, the office action must provide specific, objective evidence of record for a finding of a teaching, suggestion or motivation to combine reference teachings and must explain the reasoning by which the evidence is deemed to support such a finding. *In re Sang Su Lee*, 277 F.3d 1338 (Fed. Cir. 2002). The office action, in an attempt to meet this requirement, on page 5, states: "Regarding claim 8, wherein the optically transmissive unit comprises an optical polymer is very elementary teachings in this optical connecting art as is also mentioned in *Stopperan* reference since the rigid circuit board numeral 122 & 124 can contain a flexible circuit board which itself is composed of multi-layers and three flexible polymeric substrate layers stated in column 17 last paragraph." Applicant respectfully submits that this statement fails to meet the standard of *In re Sang Su Lee*, as the statement fails to explain the reasoning by which the evidence is deemed to support a teaching, suggestion or motivation to combine the reference teachings.

Claim 9 recites, "an acrylic acrylate." The Office action, at page 5, states, "Regarding claim 9, wherein the optical polymer comprises an acrylic acrylate is well known in this optical connector art." Applicant respectfully submits that the Examiner is taking official notice of the elements of claim 9. Applicant respectfully objects to the taking of official notice, and pursuant to M.P.E.P. § 2144.03, applicant traverses the assertion of official notice and requests that the Examiner cite a reference that teaches the

RESPONSE UNDER 37 CFR § 1.111

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missing elements. If the Examiner cannot cite a reference that teaches the missing elements, applicant respectfully requests that the Examiner provide an affidavit describing how the missing elements are present in the prior art. If the examiner cannot cite a reference or provide an affidavit, applicant requests withdrawal of the rejections and reconsideration and allowance of claim 9.

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone applicant's attorney at 612-371-2109 to facilitate prosecution of the application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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